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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 George Lopez,

15 Petitioner,

16 v.

17 Calvin Johnson, *et al.*,

18 Respondents.

Case No. 2:20-cv-01496-RFB-VCF

**Unopposed Motion to Extend Time
to File Amended Petition**

(Fourth request)

1 Petitioner George Lopez respectfully moves for an extension of 91 days to file
2 his amended petition under 28 U.S.C. § 2254, up to and including January 23, 2023.
3 The amended petition is currently due on October 24, 2022.¹ Respondents, by Deputy
4 Attorney General Gerri Hardcastle, do not object to this request for an extension.
5 Respondents' lack of objection to this request should not be construed as a waiver of
6 any procedural defense or argument. This is Lopez's fourth request for an extension.

7 Lopez filed his *pro se* petition in this Court on August 12, 2020.² The Court
8 ordered Lopez to show cause why the petition should not be dismissed as untimely.³
9 Lopez responded,⁴ and the Court found Lopez had "demonstrated both an
10 extraordinary circumstance and diligence," warranting equitable tolling.⁵ The Court
11 also appointed the Federal Public Defender's Office to represent Lopez and file a
12 counseled amended petition.⁶ The Federal Public Defender's Office appeared for
13 Lopez on October 15, 2021.⁷ Undersigned counsel appeared for Lopez on September
14 13, 2022.⁸

15 Undersigned Counsel respectfully submits that additional time is necessary to
16 properly prepare the amended petition. Undersigned counsel only appeared for Lopez
17 a month ago and is currently in the process of scheduling a visit with Mr. Lopez and
18 of obtaining an expert to evaluate Mr. Lopez.

21 ¹ ECF No. 26.

22 ² ECF No. 1-1.

23 ³ ECF No. 9.

24 ⁴ ECF No. 12.

25 ⁵ ECF No. 17.

26 ⁶ ECF No. 19.

27 ⁷ ECF No. 18.

⁸ ECF No. 27.

1 This motion is not filed for the purposes of delay, but in the interests of justice
2 and the interests of Mr. Lopez. Counsel respectfully asks this Court to grant Lopez's
3 request to extend the time for filing his amended petition by 91 days until January
4 23, 2023.

5 Dated October 21, 2022.

6 Respectfully submitted,


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8 Rene L. Valladares
9 Federal Public Defender

10 */s/ Laura Barrera*

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Laura Barrera
12 Assistant Federal Public Defender
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15 IT IS SO ORDERED:

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RICHARD E. BOULWARE, II
19 United States District Court
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DATED this 24th day of October, 2022.